

**United States Bankruptcy Court
Central District of California
Riverside
Judge Wayne Johnson, Presiding
Courtroom 304 Calendar**

Tuesday, April 04, 2017

Hearing Room 304

1:00 PM

6:15-11095 Wesbrook Landscape Co, Inc.

Chapter 7

#1.00 Hrg re motion to disallow, in part, claim number 6 filed by Adrian Ramirez

Docket 49

Tentative Ruling:

4/4/2017:

None.

Final Ruling. The objection to claim has been set for hearing on the notice required by Federal Rule of Bankruptcy Procedure 3007 and Local Bankruptcy Rules ("LBR") 3007-1 and 9013-1(d)(2). The failure of the claimant to file written opposition at least 14 days before the hearing as required by LBR 3007-1(b)(6) and 9013-1(h) is deemed consent to the sustaining of the objection. *See* LBR 9013-1(h); *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995). Furthermore, because the court is granting the relief requested by the moving party and for which a *prima facie* case has been established, an actual hearing is not necessary. *See Boone v. Burk (In re Eliapo)*, 468 F.3d 592, 602 (9th Cir. 2006). Parties who have been properly served with the motion are considered in default and, as a consequence, the matter will be resolved without oral argument. *See* LBR 9013-1(j)(3). **No appearance is necessary.**

For the reasons set forth in the motion, the Court hereby finds that sufficient grounds exist to grant the motion pursuant to 11 U.S.C. § 502(b). Priority claim #6-1 in the amount of \$4,800 filed by Adrian Ramirez is hereby reduced to \$4,000.

Counsel for the moving party shall prepare and upload a proposed order within seven days.

Party Information

Debtor(s):

Wesbrook Landscape Co, Inc.

Represented By
Gaurav Datta

**United States Bankruptcy Court
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CONT... Wesbrook Landscape Co, Inc.

Chapter 7

Trustee(s):

Todd A. Frealy (TR)

Represented By
Toan B Chung
Roquemoore, Pringle & Moore, Inc.

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6:15-11095 Wesbrook Landscape Co, Inc.

Chapter 7

#2.00 Hrg re motion to disallow claim number 13 filed by Jesus Martinez

Docket 51

Tentative Ruling:

4/4/2017:

The tentative ruling of the Court is to deny the motion without prejudice for improper notice. LBR 3007-1(b) requires that notice of the claim objection be served not later than 30 days prior to the hearing date. The amended notice filed on March 23, 2017 was not served in accordance with the LBR 3007-1(b).

Party Information

Debtor(s):

Wesbrook Landscape Co, Inc.

Represented By
Gaurav Datta

Trustee(s):

Todd A. Frealy (TR)

Represented By
Toan B Chung
Roquemoore, Pringle & Moore, Inc.

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6:15-11095 Wesbrook Landscape Co, Inc.

Chapter 7

#3.00 Hrg re motion to disallow, in part, claim number 15 filed by Reynaldo Raygoza

Docket 53

Tentative Ruling:

4/4/2017:

None.

Final Ruling. The objection to claim has been set for hearing on the notice required by Federal Rule of Bankruptcy Procedure 3007 and Local Bankruptcy Rules ("LBR") 3007-1 and 9013-1(d)(2). The failure of the claimant to file written opposition at least 14 days before the hearing as required by LBR 3007-1(b)(6) and 9013-1(h) is deemed consent to the sustaining of the objection. *See* LBR 9013-1(h); *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995). Furthermore, because the court is granting the relief requested by the moving party and for which a *prima facie* case has been established, an actual hearing is not necessary. *See Boone v. Burk (In re Eliapo)*, 468 F.3d 592, 602 (9th Cir. 2006). Parties who have been properly served with the motion are considered in default and, as a consequence, the matter will be resolved without oral argument. *See* LBR 9013-1(j)(3). **No appearance is necessary.**

For the reasons set forth in the motion, the Court hereby finds that sufficient grounds exist to grant the motion pursuant to 11 U.S.C. § 502(b). Priority claim #15-1 in the amount of \$5,520 filed by Reynaldo Raygoza is hereby reduced to \$4,600.

Counsel for the moving party shall prepare and upload a proposed order within seven days.

Party Information

Debtor(s):

Wesbrook Landscape Co, Inc.

Represented By
Gaurav Datta

**United States Bankruptcy Court
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CONT... Wesbrook Landscape Co, Inc.

Chapter 7

Trustee(s):

Todd A. Frealy (TR)

Represented By

Toan B Chung

Roquemoore, Pringle & Moore, Inc.

**United States Bankruptcy Court
Central District of California
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1:00 PM

6:15-11095 Wesbrook Landscape Co, Inc.

Chapter 7

#4.00 Hrg re motion to disallow claim number 16 filed by Octavio Reyes

Docket 55

Tentative Ruling:

4/4/2017:

The tentative ruling of the Court is to deny the motion without prejudice for improper notice. LBR 3007-1(b) requires that notice of the claim objection be served not later than 30 days prior to the hearing date. The amended notice filed on March 23, 2017 was not served in accordance with the LBR 3007-1(b).

Party Information

Debtor(s):

Wesbrook Landscape Co, Inc.

Represented By
Gaurav Datta

Trustee(s):

Todd A. Frealy (TR)

Represented By
Toan B Chung
Roquemoore, Pringle & Moore, Inc.

**United States Bankruptcy Court
Central District of California
Riverside
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Tuesday, April 04, 2017

Hearing Room 304

1:00 PM

6:16-10735 Pinnacle Innovation, Inc.

Chapter 11

#5.00 Hrg re motion to extend the deadline for plan confirmation

Docket 0

Tentative Ruling:

4/4/2017:

None.

Final Ruling. This motion has been set for hearing on regular notice pursuant to Rule 9013-1(d)(2) of the Local Bankruptcy Rules. Pursuant to Rule 9013-1(h), the failure of the trustee, the debtor and other parties in interest to file written opposition at least fourteen days prior to the hearing is construed as consent to the granting of the motion. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995). Furthermore, because the court is granting the relief requested by the moving party and for which a *prima facie* case has been established, an actual hearing is not necessary. *See Boone v. Burk (In re Eliapo)*, 468 F.3d 592, 602 (9th Cir. 2006). Parties who have been properly served with the motion are considered in default and, as a consequence, the matter will be resolved without oral argument. *See* Rule 9013-1(j)(3).

No appearance is necessary.

For the reasons set forth in the motion, the Court hereby finds that sufficient grounds exist to grant the motion pursuant to 11 U.S.C. § 1121(e). The deadline for plan confirmation is extended to June 3, 2017.

Counsel for the moving party shall prepare and upload a proposed order within seven days.

Party Information

Debtor(s):

Pinnacle Innovation, Inc.

Represented By
Todd L Turoci
Everett L Green

**United States Bankruptcy Court
Central District of California
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Tuesday, April 04, 2017

Hearing Room 304

2:00 PM

6:16-20545 Jennifer Deguia Fermin

Chapter 7

#6.00 Hrg re United States Trustee motion to dismiss case and contingent motion to extend discharge deadline

Docket 11

Tentative Ruling:

4/4/2017:

None.

Final Ruling. This motion has been set for hearing on regular notice pursuant to Rule 9013-1(d)(2) of the Local Bankruptcy Rules. Pursuant to Rule 9013-1(h), the failure of the debtor and other parties in interest to file written opposition at least fourteen days prior to the hearing is construed as consent to the granting of the motion. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995). Furthermore, because the court is granting the relief requested by the moving party and for which a *prima facie* case has been established, an actual hearing is not necessary. *See Boone v. Burk (In re Eliapo)*, 468 F.3d 592, 602 (9th Cir. 2006). Parties who have been properly served with the motion are considered in default and, as a consequence, the matter will be resolved without oral argument. *See* Rule 9013-1(j)(3).

No appearance is necessary.

For the reasons set forth in the motion, the Court hereby finds that sufficient grounds exist to grant the motion pursuant to §§ 707(b)(1) and (b)(3).

Counsel for the moving party shall prepare and upload a proposed order within seven days.

Party Information

Debtor(s):

Jennifer Deguia Fermin

Represented By

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Tuesday, April 04, 2017

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CONT... Jennifer Deguia Fermin

Chapter 7

L. Tegan Hurst

Trustee(s):

Lynda T. Bui (TR)

Pro Se